(7) THE MADRAS CITY POLICE (AMENDMENT) BILL, 1949
(L.A. BILL NO. 45 OF 1949).

THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

'*that the Madras City Police (Amendment) Bill*, 1949 (*L.A. Bill No.* 45 *of* 1949), *as passed by the Legislative Assembly, be taken into consideration at once.*'

" This Bill provides for making two amendments to the Madras City Police Act, 1888. Section 71-M of that Act penalises the overloading of hand-carts, etc. For committing an offence under that section, any police officer, which expression includes even a constable, is empowered to arrest the person concerned under section 24 (1) of that Act. Complaints about harassment have been received because the power of arrest is given even to a constable. The first amendment confers the power of arrest on police officers not below the rank of Sub-Inspectors.

" The second amendment seeks to add a new provision to the City Police Act. Under sections 71-H and 71-I of that Act, a salaried Presidency Magistrate is empowered to commit a beggar to a workhouse or, if he is not capable of ordinary manual labour, to a special home for a period not exceeding three years. Many instances have arisen wherein the beggars want to continue in the workhouse or special home. They have no other place to go back to, and they will have to continue begging if they are sent out. The law as it stands at present does not permit the continuance of the detention of such beggars after the expiry of the period of detention specified by the Magistrate. To remedy this defect, the amendment proposes to add a new provision in the Act empowering a salaried Presidency Magistrate, on the application of a person detained, to order the continuance of his detention for a further period not exceeding two years on each occasion, after the Magistrate has satisfied himself that such continuance is desired by the applicant and would be in his interest."

THE DEPUTY PRESIDENT :—" The motion is—

'that the Madras City Police (Amendment) Bill, 1949 (L.A. Bill No. 45 of 1949), as passed by the Legislative Assembly, be taken into consideration at once.' "

* SRI R. SURYANARAYANA RAO :—" Mr. Deputy President, Sir, the amendment conferring the power of arresting persons for the offence of overloading of hand-carts, etc., is very desirable. I am afraid the provision relating to overloading of hand-carts is not implemented rigorously by the Police. One has only to stop at the railway level-crossing gate near the Fort when the electric train is passing to see a large number of overloaded hand-carts proceeding either to the South Indian Railway Goods shed or the harbour. I do not know how the load is tested and whether every police station is provided with a weigh-bridge where the hand-carts could be taken and weighed. As regards bullock carts, I am told that they are taken by the S.P.C.A. officers to some place where

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a weigh-bridge exists, for weighment. Unless provision is made for weighment, I am afraid that the law will either prove a source of harassment even though the power of arrest is conferred on more responsible officers or it will remain a dead letter. I would like the Hon. Minister to tell us what provision is made for testing the load of carts whether drawn by men or bullocks.''

* THE HON. SRI K. MADHAVA MENON :—'' Sir, I cannot say what exactly is the provision that is made for weighment. But I know that there is no facility for weighment in every police station. Such facility exists only in some stations in Madras City. I have seen only motor cars being taken for weighment. I have not got the information ready, as I did not anticipate this question. I shall get the information supplied to my hon. Friend.

'' As it was complained that the harassment was there because even a constable was empowered to arrest, we are putting in more responsible officers.''

THE DEPUTY PRESIDENT :—'' The question is—

' that the Madras City Police (Amendment) Bill, 1949 (L.A. Bill No. 45 of 1949), as passed by the Legislative Assembly, be taken into consideration.'

The motion was carried.

Clauses 2, 1 and the Preamble were put and carried.

THE HON. SRI K. MADHAVA MENON :—'' Sir, I move—

' *that the Bill passed into law.*' ''

THE DEPUTY PRESIDENT :—'' The question is—

' that the Madras City Police (Amendment) Bill, 1949 (L.A. Bill No. 45 of 1949), be passed into law.' ''

The motion was carried and the Bill was passed into law.

(8) THE MADRAS ESTATES LAND (REDUCTION OF RENT) AMENDMENT BILL, 1949 (L.A. BILL NO. 46 OF 1949).

THE HON. SRI H. SITARAMA REDDI :—'' Mr. Deputy President, Sir, I move—

' *that the Madras Estates Land (Reduction of Rent) Amendment Bill,* 1949 (*L.A. Bill No.* 46 *of* 1949), *as passed by the Legislative Assembly, be taken into consideration at once.*'

'' Sir, this is an amending Bill to clarify certain doubts that have been raised whether the amount of money payable to the religious or charitable institutions after the rents are reduced under the Rent Reduction Act represents that which is accrued due to the institution during the relevant fasli year or years, or only the amount actually collected by it during that period. The section, as it stands to-day says that the amount payable is what